

SEP 07 2007

PTO/SB/21 (04-07)

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FORM

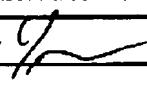
(to be used for all correspondence after initial filing)

| | | | |
|--|---|------------------------|-----------------|
| | | Application Number | 10/643,827 |
| | | Filing Date | August 19, 2003 |
| | | First Named Inventor | Sundelin, J. |
| | | Art Unit | 1636 |
| | | Examiner Name | Guzo, David |
| Total Number of Pages in This Submission | 9 | Attorney Docket Number | BI-06-ND8-CCC |

ENCLOSURES (Check all that apply)

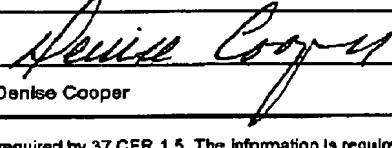
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|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input checked="" type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application | <input type="checkbox"/> Landscape Table on CD | |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | |
| Remarks | | |
| Supplement To Petition To Withdraw Holding Of Abandonment Under 37 CFR 1.181 (8 pages) | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|---|----------|--------|
| Firm Name | Hoxie & Associates LLC | | |
| Signature |  | | |
| Printed name | Arthur Yang | | |
| Date | 7 Sept 2007 | Reg. No. | 45,721 |

CERTIFICATE OF TRANSMISSION/MAILING

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| | | | |
|-----------------------|---|------|---------------|
| Signature |  | | |
| Typed or printed name | Denise Cooper | Date | Sept. 7, 2007 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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| | | | | |
|-------------|---|---|----------------------|---------------|
| Applicant: | Sundelin, J. et al. |) | Examiner: | Guzo, David |
| | |) | | |
| Serial No.: | 10/643,627 |) | Group Art Unit: | 1636 |
| | |) | | |
| | |) | Confirmation Number: | 4455 |
| | |) | | |
| Filed: | August 19, 2003 |) | Attorney Docket: | BI-06-ND6-CCC |
| | |) | | |
| Title: | RECOMBINANT C140 RECEPTOR ITS AGONISTS AND ANTAGONISTS, AND NUCLEIC ACIDS ENCODING THE RECEPTOR |) | | |
| | |) | | |

SUPPLEMENT TO PETITION TO WITHDRAW HOLDING
OF ABANDONMENT UNDER 37 CFR 1.181

Attn: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Supplemental to the Petition to Withdrawn Holding of Abandonment Under 37 CFR 1.181 filed on August 30, 2007, Applicants further respectfully request that the Notice of Abandonment mailed August 8, 2007 be withdrawn because the issue fee in the present application has already been paid.

Applicants have recently become aware that the issue and publication fees have already been paid in the present application. According to the Transaction History in the PAIR system, an issue fee payment for the present application was received on August 8, 2007 (copy attached as Exhibit C).¹ According to the records of the Office of Finance, the issue and publication fees

¹ It is unclear why the issue and publication fees are listed as being received on August 8, 2007, as Applicants had submitted the issue and publication fees on July 11, 2007 (see Exhibit A filed in the August 30, 2007 Petition to Withdraw Holding of Abandonment).

Application of Sundelin, J., et al
Application No.: 10/643,627

Attorney Docket No.: BI-06-ND6-CCC

were debited from deposit account 50-4255 on August 10, 2007 (redacted Office of Finance record sheet attached as Exhibit D).

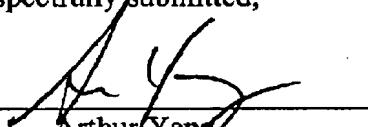
The present application was abandoned for failure to timely pay the issue and publication fees as the submitted fee of \$0 was insufficient. However, in view of the recently discovered information, and for the facts presented in the August 30, 2007 petition, the issue and publication fees have clearly been paid.

It is believed no fees are required in the filing of the present supplemental information pertaining to a petition under 37 CFR 1.181. If any fees are required, please charge the same to Deposit Account 50-4255.

Respectfully submitted,

Dated: 7 Sept 2007

By


Arthur Yang
Reg. No. 45,721
HOXIE & ASSOCIATES LLP
75 Main Street
Suite 301
Millburn, NJ 07041
(973) 912-5232

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10/643,627

RECOMBINANT C140 RECEPTOR
ANTAGONISTS, AND NUCLEIC ACID RECEPTOR

Patent Status [Detailed Status](#) Transaction History [Detailed Transaction History](#)

Transaction History**Date** **Transaction Description**

- 08-30-2007 Petition Entered
- 08-08-2007 Issue Fee Payment Received
- 08-08-2007 Mail Abandonment for Failure to Pay Issue Fee
- 08-08-2007 Abandonment for Failure to Pay Issue Fee
- 08-07-2007 Withdrawal Patent Case from Issue
- 07-25-2007 Issue Notification Mailed
- 08-14-2007 Patent Issue Date Used In PTA Calculation
- 07-13-2007 Dispatch to FDC
- 07-13-2007 Application Is Considered Ready for Issue
- 07-11-2007 Issue Fee Payment Verified
- 05-04-2007 Sequence Forwarded to Pubs on Tape
- 04-11-2007 Mail Notice of Allowance
- 04-11-2007 Mail Examiner's Amendment
- 04-03-2007 Examiner's Amendment Communication
- 04-03-2007 Notice of Allowance Data Verification Completed
- 04-03-2007 Case Docketed to Examiner in GAU
- 03-13-2007 Date Forwarded to Examiner
- 02-28-2007 Amendment after Final Rejection
- 12-28-2006 Mail Final Rejection (PTOL - 326)
- 12-26-2006 Final Rejection
- 10-17-2006 Date Forwarded to Examiner
- 10-04-2006 Response after Non-Final Action
- 10-04-2006 Request for Extension of Time - Granted
- 06-02-2006 Mail Non-Final Rejection
- 05-30-2006 Non-Final Rejection
- 04-19-2006 Date Forwarded to Examiner
- 04-19-2006 Date Forwarded to Examiner
- 04-11-2006 Request for Continued Examination (RCE)
- 04-19-2006 DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)
- 04-11-2006 Workflow - Request for RCE - Begin
- 04-07-2006 Mail Advisory Action (PTOL - 303)
- 04-03-2006 Advisory Action (PTOL-303)
- 03-21-2006 Date Forwarded to Examiner
- 03-13-2006 Amendment after Final Rejection
- 03-21-2006 CRF Is Good Technically / Entered into Database
- 01-11-2006 Mail Final Rejection (PTOL - 326)
- 01-09-2006 Final Rejection
- 12-08-2005 Correspondence Address Change
- 12-08-2005 Change in Power of Attorney (May Include Associate POA)
- 11-02-2005 CRF Is Flawed Technically / Not Entered into Database

11-01-2005 Date Forwarded to Examiner
10-24-2005 Response to a Letter to Comply with the Sequence Rules
09-22-2005 Mail Letter Requiring CRF (Unreadable, Non-Compliant, Not Submitted)
09-19-2005 CRF Diskette Unreadable / Did Not Comply / Required but Not Submitted
07-13-2005 Date Forwarded to Examiner
06-30-2005 Response after Non-Final Action
04-06-2005 Mail Non-Final Rejection
04-01-2005 Non-Final Rejection
03-04-2005 Date Forwarded to Examiner
02-25-2005 Response to Election / Restriction Filed
01-31-2005 Mail Notice of Informal or Non-Responsive Amendment
01-28-2005 Date Forwarded to Examiner
01-18-2005 Informal or Non-Responsive Amendment after Examiner Action
01-18-2005 Response to Election / Restriction Filed
01-18-2005 Request for Extension of Time - Granted
01-18-2005 Affidavit(s) (Rule 131 or 132) or Exhibit(s) Received
11-18-2004 Mail Restriction Requirement
11-15-2004 Requirement for Restriction / Election
06-24-2004 IFW TSS Processing by Tech Center Complete
03-19-2004 Preliminary Amendment
06-23-2004 Case Docketed to Examiner in GAU
04-05-2004 Miscellaneous Incoming Letter
04-05-2004 Application Return from OIPE
04-06-2004 Application Is Now Complete
04-05-2004 Application Return TO OIPE
04-05-2004 Application Return from OIPE
04-06-2004 Application Is Now Complete
04-05-2004 Application Return TO OIPE
04-05-2004 Application Dispatched from OIPE
04-05-2004 Application Is Now Complete
03-19-2004 Additional Application Filing Fees
08-19-2003 Claim Preliminary Amendment
03-19-2004 Ommited Drawings. Applicant has Petitioned that the Filing Date not be changed and the Petition has
01-22-2004 CRF Is Good Technically / Entered into Database
08-19-2003 CRF Disk Has Been Received by Preexam / Group / PCT
11-12-2003 Cleared by L&R (LARS)
11-04-2003 Referred to Level 2 (LARS) by OIPE CSR
09-19-2003 IFW Scan & PACR Auto Security Review
08-19-2003 Initial Exam Team nn

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Deposit Account Statement

Requested Statement Month: August 2007
Deposit Account Number: 504255
Name: HOXIE & ASSOCIATES LLC
Attention: THOMAS HOXIE
Street Address 1: 75 MAIN STREET, SUITE 301
Street Address 2:
City: MILLBURN
State: NJ
Zip: 07041
Country: UNITED STATES

| DATE SEQ | POSTING REF TXT | ATTORNEY DOCKET NBR | FEE CODE | AMT | BAL |
|-------------|--------------------|-----------------------------|-------------|------------|------------|
| 08/01 189 | [REDACTED] | [REDACTED] | 1631 | \$300.00 | [REDACTED] |
| 08/01 190 | [REDACTED] | [REDACTED] | 1633 | \$200.00 | [REDACTED] |
| 08/01 191 | [REDACTED] | [REDACTED] | 1642 | \$400.00 | [REDACTED] |
| 08/01 192 | [REDACTED] | [REDACTED] | 1681 | \$250.00 | [REDACTED] |
| 08/07 9200 | [REDACTED] | [REDACTED] | 8021 | \$40.00 | [REDACTED] |
| 08/07 9201 | [REDACTED] | [REDACTED] | 8021 | \$40.00 | [REDACTED] |
| 08/07 9202 | [REDACTED] | [REDACTED] | 8021 | \$40.00 | [REDACTED] |
| 08/07 9203 | [REDACTED] | [REDACTED] | 8021 | \$40.00 | [REDACTED] |
| 08/07 9204 | [REDACTED] | [REDACTED] | 8021 | \$40.00 | [REDACTED] |
| 08/07 9205 | [REDACTED] | [REDACTED] | 8021 | \$40.00 | [REDACTED] |
| ★ 08/10 1 | 10643627 | MPI93- 006CP1DV1ACN1DV1M | 1501 | \$1,400.00 | [REDACTED] |
| ★ 08/10 2 | 10643627 | MPI93- 006CP1DV1ACN1DV1M | 1504 | \$300.00 | [REDACTED] |
| 08/15 170 | [REDACTED] | [REDACTED] | 1806 | \$180.00 | [REDACTED] |
| 08/15 12871 | [REDACTED] | [REDACTED] | 9203 | [REDACTED] | [REDACTED] |
| 08/21 1 | [REDACTED] | [REDACTED] | 1453 | \$1,500.00 | [REDACTED] |
| 08/22 3 | [REDACTED] | [REDACTED] | 1202 | \$150.00 | [REDACTED] |
| 08/22 4 | [REDACTED] | [REDACTED] | 1806 | \$180.00 | [REDACTED] |
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